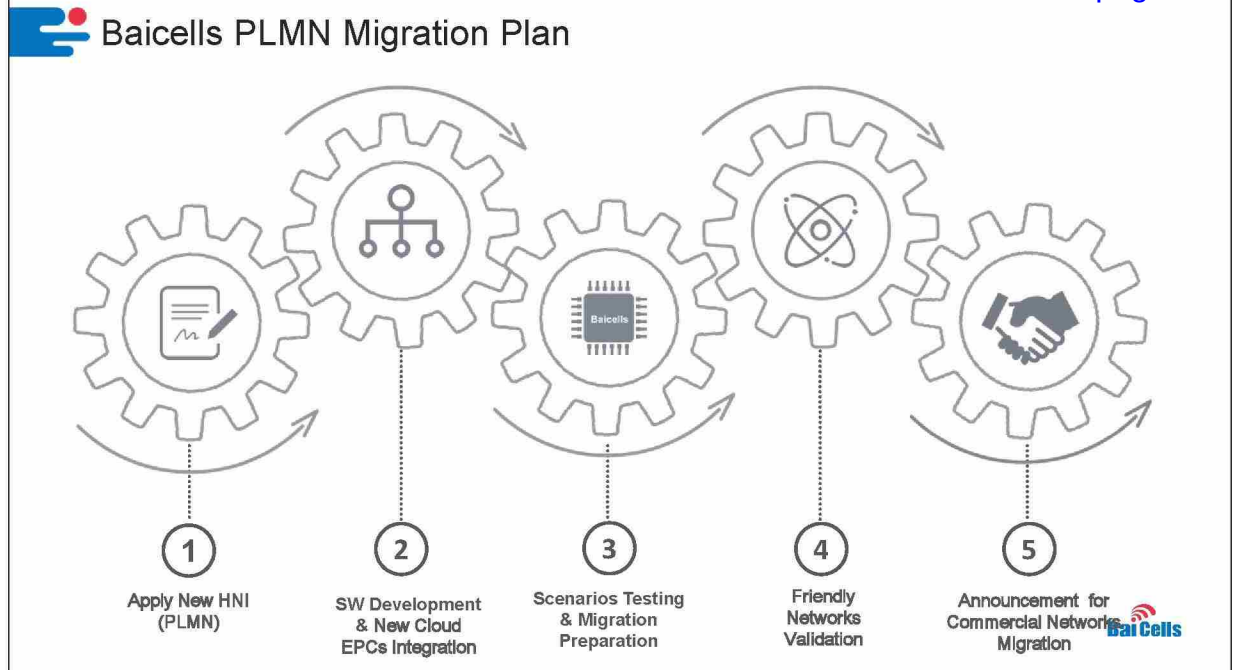


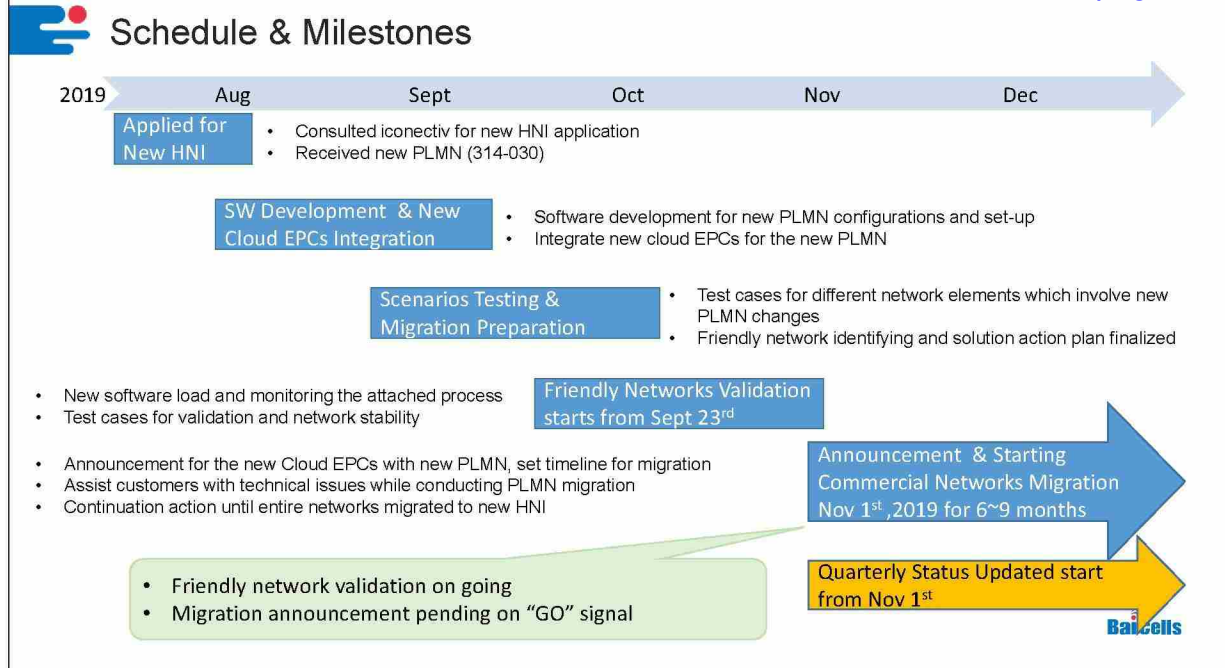
EXHIBIT 12



Baicells PLMN Migration Updated

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LigTel Letter to ATIS

- Paul Schudel representing for LigTel to submit a letter to ATIS on October 11th, 2019
- There were 5 key points LigTel claimed, which considered misleading & incorrect
- Baicells would address each of the points in the following pages





LigTel Letter to ATIS – first point

First, the *October 3rd Baicells Letter* now makes clear that Baicells affirmatively chose to use the HNI, even though such use was, and is, not authorized by LigTel and was, and is, not authorized by Sections 6.6. and 5.3 of the IMSI's Guidelines and Operating Procedures (the "IMSI Guidelines"). Nowhere in the *October 3rd Baicells Letter* does Baicells contend that its use of the HNI was inadvertent. In the absence of the LigTel-requested cease and desist action, Baicells' unauthorized use of the HNI without even an attempt to justify such unauthorized use calls into question the overall integrity of the IOC's Home Network Identifier application and oversight process.

- Baicells network broadcasting the un-registered 5 digits PLMN "311-98", which is totally different to 6 digits PLMN "311-980"
- Baicells does not need authorization from LigTel, hence the "unauthorized" is considered as improper wording
- The un-registered 5 digits PLMN "311-98" may created confusion, but no other impact nor damage from technical point of view





LigTel Letter to ATIS – second point

Second, Baicells cites IMSI Guidelines Annex B, section B-6.3.7 to support its claim that the IOC lacks authority to issue a cease and desist order. However, Section B-6.3.7 does not expressly or impliedly provide that the IOC lacks authority to issue a cease and desist order. Rather, this section provides that if an issue is presented to the IOC Chairperson and its Membership on which consensus cannot be reached, the IOC Chairperson “may refer the issue/appeal” to the appropriate federal agency. However, the issue regarding the appropriate action that the IOC should take in response to Baicells’ unauthorized use of the HNI has not yet even been submitted to the IOC Chairperson and Membership for resolution.¹ Baicells’ attempt to invoke Section B-6.3.7 is, at best, premature. In any event, LigTel is confident that the IOC is aware of the scope of jurisdiction it possesses to enforce the IMSI Guidelines and to rectify violations thereof. Nothing in the *October 3rd Baicells Letter* provides a basis to conclude otherwise.

- Follow the first point, un-registered HNI may confused, IOC highly encourage Baicells a registered HNI to be long term solution
- Baicells had registered HNI (314-030) and submitted the migration plan to IOC





LigTel Letter to ATIS – third point

Third, Baicells' suggestion that LigTel has not demonstrated "harm" is baseless. It is axiomatic that LigTel has incurred costs in this matter such as, by way of example, the need to expend administrative resources and legal fees to respond to the interference complaint made by a third-party network operator.² Such costs are and could very well be continuing in the absence of the IOC granting LigTel its requested relief. In short, nothing that Baicells has claimed can or should undo the fact that the IOC must hold Baicells accountable for the consequences of Baicells' actions. Baicells' efforts to shield itself from those consequences should be rejected.

- Follow the technical point of view, broadcasting 5 digits HNI is differ to 6 digits HNI, hence neither interference nor harm would not be happened
- This claim shall be discussed & handled by lawyers between LigTel & Baicells





LigTel Letter to ATIS – forth point

Fourth, Baicells' suggestion that LigTel's modifications to the Migration Plan represent an effort to "bog down Baicells in paperwork" is without merit. LigTel is confident that the IOC can and will see through Baicells' efforts to mischaracterize LigTel's proposed modifications to the Migration Plan. Each such modification is directly tied to the creation of a migration plan with a necessary level of specificity and accountability to avoid any future "backsliding" by Baicells, a concept that Baicells does not even attempt to address in the *October 3rd Baicells Letter*. While Baicells claims that it has "responded diligently" to curtail its unauthorized use of the HNI, the fact remains that the Baicells' website still directs parties to use the HNI (<https://na.baicells.com/getting-started/>) (most recently confirmed as of the date of this letter), and, even if Baicells' prior conduct can be deemed "diligent," absent additions of accountability requirements to the Migration Plan, there is no assurance that Baicells' purported "diligence" will continue in the future.

- The 314-030 HNI migration plan is between Baicells & IOC as continue action. This is nothing related to LigTel
- The website to be changed when migration plan announce officially





LigTel Letter to ATIS – fifth point

Finally, in the *October 4th Greco Email*, Mr. Greco states that the IOC is “asking for additional feedback on the technical and operational input” relating to the Migration Plan (including that provided by LigTel) and that the IOC may “discuss the technical/operational feedback of the proposed transition” at its meeting later this month or in early November. With regard to the technical aspects of the Migration Plan, LigTel notes that even though it requested additional detail in the *September 27th LigTel Letter* regarding the replacement of SIM cards (which would include those in-service cards on which the HNI is permanently burned), Baicells provided no such detail. As a result, LigTel respectfully submits that the IOC find that Baicells has failed to provide sufficient

- The 314-030 HNI migration plan is between Baicells & IOC as continue action. This is nothing related to LigTel
- The migration plan and status will be updated and shared to IOC

